

CAREGIVER BACKGROUND CHECK PILOT QUESTIONS AND ANSWERS

I. PCW-Related Questions

- I1. Why were PCWs included while other community based organizations were not? Personal Care Worker Agencies are identified as a required provider type in the federal legislation. Wisconsin pursued an exemption for PCW Agencies with CMS but was denied.
- I2. Exactly which PCWs are included in the pilot? Caregivers providing Medicaid-funded PCW card services are included in the pilot. The following types of providers receive Medicaid-funded PCW services: Counties/Tribes, Independent Living Centers, Home Health Agencies. Home Health Agencies are already covered by the pilot because they are subject to the Caregiver Law.
- Caregivers providing personal care services funded by Medicaid Waiver funds or the Community Options Program are not included in the pilot. Also not included are personal care services funded by Care Management Organizations (CMO).
- I3. Should caregivers providing household/chore services (formerly called supportive home care staff) through the County be required to go through the pilot background check process? No. Only caregivers providing Medicaid-funded PCW card services are covered by the pilot.
- I4. Most PCW workers don't have access to a car for going to agencies to apply for a job. The new background check requirements will add 2 additional stops, travel to fingerprinting agency and taking the fingerprinting application back to the hiring agency. Are there any incentives included in the grant for assisting potential caregivers? And what suggestions can state staff offer? Caregivers can be provisionally hired for up to 60 days pending the result of their background check.
- In Dane and Kenosha Counties, the Division of Gaming will fax the Fingerprint Registration Form back to the provider. The form does not need to be returned by the applicant.

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15. Dane County contracts with five large agencies that provide services on a regional basis or multiple-counties. Are these agencies excluded from the pilot?
- If any of the 5 large agencies which provide services on a regional basis in multiple counties have an office in Dane County, they will be included in the pilot.
- Excluded from the pilot are providers not located in one of the pilot counties.
16. Dane County has contracts with agencies that offer more services than personal care. Since the agencies are not permitted by law to single out one set of employees from another, the state's grant would need to consider adding an agency's total workforce rather than a subset.
- Only staff hired to work in one of the pilot counties as a Medicaid-funded PCW will be subject to the background check pilot. For certain employers this may mean that some staff will be subject to the background check while others are not.
- Under the current caregiver law, some staff are excluded from the background check requirements. Only staff with direct access to customers are required to comply with the caregiver background check. Staff hired to work on the grounds of a nursing home, for example, may not be subject to the caregiver background check requirements if they do not have regular, direct contact with customers.
17. Some agencies employ caregivers that receive paychecks from two different funding sources, e.g. MA Personal Care and COP/Waiver programs. Does the State's fingerprinting grant apply to these caregivers?
- Yes, caregivers hired to provide Medicaid-funded PCW card services are required to participate in the pilot regardless of whether they provide other services that are not Medicaid-funded PCW card services such as Medicaid Waiver/COP services.
18. We have Private Duty Nurses up in our La Crosse home that has personal cares in it. The nurses are not paid through us they bill their time directly to the State and get paid through the State. Do we have to do fingerprinting on them?
- No. Only caregivers providing Medicaid-funded PCW card services are covered by the pilot. Staff providing services other than Medicaid-funded PCW card services are not required to complete a fingerprint based background check unless the provider falls into one of the other required provider types: nursing homes, LTC hospitals, ICF/MRs, Hospice, Home Health, CBRFs with 9 or more beds.

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I9. Our Adult Family home in La Crosse is CMO (Care Management Option) - do we need to do the fingerprinting background in that home? What about self-directed CMO services?

No. Only caregivers providing Medicaid-funded PCW card services are covered by the pilot.

I10. Is there any exception for PCW providing care to a family member?

No. However, family members who have a barring offense may chose to go through a rehabilitation review. The review panel may approve the request with conditions or limitations. For example, a caregiver with a barring offense may receive approval to work only with a family member in a PCW setting. An approval through the rehabilitation review process means that the provider MAY hire the caregiver, but is not required to hire. Rehabilitation Reviews are conducted through the Department of Health and Family Services. Applications are available online at www.dhfs.wisconsin.gov/Caregiver Program.